



April 25, 2013

**VIA ECF**

Hon. Tonianne J. Bongiovanni, U.S.M.J.  
U.S. District Court for the District of New Jersey  
Clarkson S. Fisher Building & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**Re: *Takeda Pharmaceutical Company Limited et al. v. Zydus Pharmaceuticals USA Inc. et al.*, Civil Action No. 3:10-cv-01723-JAP-TJB**

John E. Flaherty  
Partner  
T. 973.639.7903  
F. 973.297.3971  
jflaherty@mccarter.com

Dear Judge Bongiovanni,

We, along with Hogan Lovells, represent the Plaintiffs in this action. Per Your Honor's April 4, 2013 Order to Seal (D.I. 332) temporarily granting Takeda's Motion to Seal, enclosed please find a proposed order along with proposed redactions to the documents requested to be sealed.

The parties have determined that D.I. 291, Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion *in Limine* to Preclude All Testimony and Evidence Relating to New and Untimely Disclosed Prior Art References and Exhibits 1–6 to the Declaration of Arlene L. Chow, no longer require sealing. In addition, Plaintiffs have determined that Exhibit 10 to D.I. 303, Plaintiffs' Opposition to Defendants Motion in *Limine*, does not require sealing. Unredacted copies of these documents have been filed with this letter.

A redacted copy of the Joint Final Pretrial Order was filed by defendants Zydus Pharmaceuticals (USA) Inc. and Cadila Healthcare Limited on April 15, 2013 (D.I. 338).

If Your Honor finds the proposed redactions acceptable, we respectfully ask that the Court enter the enclosed order to seal.

Respectfully submitted,

*s/John E. Flaherty*

John E. Flaherty

cc: Counsel of Record (via email)

McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102-4056  
T. 973.622.4444  
F. 973.624.7070  
www.mccarter.com

BOSTON

HARTFORD

NEW YORK

NEWARK

PHILADELPHIA

STAMFORD

WILMINGTON